

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT
BISMARCK, ND 58502

March 3, 2003

SUBJECT: Affirmative Fair Housing Marketing Plans (AFHMP)

TO: All Rural Development Employees

PURPOSE/INTENDED OUTCOME: The purpose of this North Dakota Administrative Notice (AN) is to provide guidance in reviewing the Affirmative Fair Housing Marketing Plan (AFHMP). These plans should function as a management tool in the Housing Program and certain housing related projects financed through the Community Facilities (CF) loan program. It is to be noted that AFHMPs cover more than racial discrimination.

COMPARISON WITH PREVIOUS AN: This AN replaces ND AN No. 1297 (1901-E) dated December 7, 1999 and ND AN 1345 (1901-E) dated June 5, 2001.

IMPLEMENTATION/RESPONSIBILITIES: It is the policy of North Dakota Rural Development to administer its Housing programs and certain CF housing related projects affirmatively so that all individuals of similar income levels in the housing market area will have housing choices available to them regardless of race, color, religion, sex, age, familial status, national origin, or disability.

Few rural communities in North Dakota have a concentration of minority racial groups. If minority racial groups are not present in a market area, there is no need to identify them as needing special outreach marketing efforts. However, Affirmative Fair Housing Marketing covers far more than racial discrimination.

We are charged with the responsibility to insure compliance with Fair Housing Laws to make our programs accessible to all qualifying applicants. We need to make sure that all marketing attempts are carried out by use of affirmative actions.

EXPIRATION DATE:
April 30, 2004

FILING INSTRUCTIONS: Following
RD Instruction 1901-E

*USDA Rural Development is an Equal Opportunity Lender, Provider, and Employer.
Complaints of discrimination should be sent to: USDA, Director, Office of Civil Rights,
Washington, D.C. 20250-9410*

Each participant in a Rural Development (RD) Housing program or certain CF housing-related projects shall pursue affirmative fair housing marketing policies in soliciting buyers and tenants, in determining their eligibility, and in conducting sales and rental transactions.

In accordance with RD Instruction 1901-E, specifically paragraph 1901.203(c), AFHMPs will be developed and submitted on **Form HUD 935.2 (01/2001)**, found on the web at http://www.hudclips.org/sub_nonhud/html/pdfforms/935-2.pdf.

The participant will make approved AFHMPs available for public inspection at the participant's place of business and at each sales or rental office. Records must be maintained by the participant to reflect efforts to fulfill the AFHMP.

It is very important to thoroughly identify commercial media advertising and community contact leaders, to inform and make them aware of the program available to those groups and individuals least likely to apply. Community contacts to be identified will include individuals or organizations that are well known in the project area or the locality, and that can influence persons within groups considered least likely to apply. Such contacts may include, but need not be limited to: neighborhood, minority, religious, and women's organizations, labor unions, employers, public and private agencies, organizations for people with disabilities, and individuals who are connected with these organizations and/or are well known in the community.

Advertising by newsprint will occur at least annually to promote project visibility, even if there is an adequate waiting list. The Rural Development Manager will require a copy of the yearly advertisement to be sent to the Area Office for each project. The Rural Development Manager needs to be familiar with the make up of the circulation or audience served by the commercial media in their area. For example, you should know what percent of the identified groups the media reaches.

Marketing will not totally rely on "word of mouth" advertising. Appropriate social agencies and networks will be contacted to assist in reaching elderly and persons with disabilities or other individuals least likely to apply.

Borrowers/project managers must market to persons with disabilities. A list of organizations that provide services to persons with disabilities has previously been provided to the field offices by the Civil Rights Manager. Provide this list to your project managers and inform them they need to market to at least one organization.

Before rental units, designed and constructed as accessible units, are rented to persons not in need of the special design features, diligent and documented marketing must be carried out to ensure the availability of the units is made known to those in need of the special features. Such contacts as area Committees on Aging, physical rehabilitation centers, hospitals and disabled veteran organizations should be utilized as contacts. The use of the accessibility logo is encouraged as a marketing tool when there are no physical barriers for someone wishing to inquire or apply for a service or if the complex has fully accessible units.

At a minimum the AFHMP will be reviewed and replaced every three years. In the interim, the AFHMP will be replaced whenever the situation changes. MFH projects experiencing occupancy problems should be asked to address special outreach efforts to fill vacant units.

All borrowers must provide guidance to their staff regarding Federal, State and local fair housing laws. Copies of the guidance or any written materials must be submitted to the State Director along with the AFHMP"

Attachment A is a checklist for reviewing the AFHMP. It is the responsibility of the Servicing Office to review all AFHMPs for accuracy and completeness. Upon completion of the review and determination of the AFHMP acceptability, submit the original AFHMP including Attachment A and your recommendation for approval to the State Director.

Attachment B is a timeline of events for your use.

Remember, under the Equal Housing Opportunity Statement, we are pledged to the letter and spirit of the U.S. policy for achievement of equal housing opportunity throughout North Dakota. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, disability, familial status or national origin.

/s/ CLARE A. CARLSON

CLARE A. CARLSON
State Director